

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PHILLIP TORETTA, DANIEL C. KING, and SHERI
BRAUN, individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

DONNELLY FINANCIAL SOLUTIONS, INC. and
MEDIANT COMMUNICATIONS, INC.,

Defendants.

Case No. 1:20-cv-02667-GHW

**NOTICE OF MEDIANT COMMUNICATIONS INC.'S MOTION TO DISMISS
PLAINTIFFS' SECOND AMENDED COMPLAINT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6).**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law,
Defendant Mediant Communications Inc. will move this Court, before the Honorable Gregory
Howard Woods, United States District Judge, at a time to be determined by the Court, at the United
States District Court for the Southern District of New York, 500 Pearl Street, New York, New York
10007, for an Order pursuant to Federal Rules of Civil Procedure Rule 12(b)(6) dismissing Plaintiffs'
Second Amended Class Action Complaint, and granting such other relief as the Court may deem
just and proper.

Dated: May 3, 2021

Respectfully submitted,

BAKER HOSTETLER LLP

By: /s/ Casie D. Collignon

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